IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTIETH DAY OF AUGUST
TWO THOUSAND AND FOUR

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PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 15425 of 2004

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Between:

P.Munaswamy, S/os P. Kuppaiah,
R/o D.M. Puram Village, Karvetinagar Mandal, Chittoor

District.

..... PETITIONER

AND

-

1 The District Collector (Panchayat Wing), Chittoor,

Chittoor District.
2 The District Panchayat Officer, Chittoor, Chittoor

District.
3 The Divisional Panchayat Officer, Chittoor, Chittoor

District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of "Writ of Mandamus" declaring the action of the1st respondent in not disposing of the appeal and the action of the respondents 2 and 3 in taking coercive steps against the petitioner as illegal, unjust, arbitrary and contrary to law.

Counsel for the Petitioner: MR.S.V.MUNI REDDY

Counsel for the Respondent No.: GP FOR PANCHAYAT RAJ &

RURAL DEVEVELOPMENT.

The Court Made the Following ORDER:

Questioning the show cause notice dated 30-10-2003 directing the petitioner to submit entire records for inspection on or before 16-11-2003, petitioner filed W.P.No.7013 of 2004, which was dismissed on 13-4-2004 with a liberty to the petitioner to file an appeal before the District Collector and on filing of such appeal the District Collector was directed to consider and pass appropriate orders in accordance with law. It is now stated that as per the directions issued by this court, the petitioner filed an appeal on 11-5-2004 before the District Collector, the first respondent herein along with stay petition to suspend the operation of the proceedings dated 30-10-2003, which is still pending. On the basis of the report said to have been submitted by the third respondent, the second respondent prohibited the petitioner from drawing the moneys of the Gram Panchayat temporarily. Alleging that the second respondent will report to the police for taking him into custody for due recovery of the amounts the petitioner moved this court by way of filing of the present writ petition complaining that the inaction on part of the first respondent in disposing of the appeal and the action of the respondents 2 and 3 in taking coercive steps against him is illegal and arbitrary.

So far no steps have been taken for recovery of the said amount except the paper clipping said to have been issued by the second respondent which is filed in the writ petition. Having heard the learned counsel for the petitioner and also learned Government Pleader for the respondents, I am of the view that the ends of justice would be met if the first respondent is directed to dispose of the appeal along

with the stay petition at an early date.

Accordingly, the first respondent is hereby directed to pass appropriate orders either in the stay petition or in the appeal itself filed by the petitioner as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of at the admission stage.

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A. Gopal Reddy, J.

30th August, 2004.

Js.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector (Panchayat Wing), Chittoor,

Chittoor District.

2 The District Panchayat Officer, Chittoor, Chittoor

District.

3 The Divisional Panchayat Officer, Chittoor, Chittoor

District.

4 2 CCs to G.P. for Panchayat Raj & Rural Development, High

Court Buildings, Hyderabad.(OUT)

5 2 CD copies